

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

2008 MAY 14 AM 9:24

'08 MJ 1494

UNITED STATES OF AMERICA, )

Mag. Case Number: \_\_\_\_\_

Plaintiff, )

COMPLAINT FOR VIOLATION OF

v. )

Title 21, U.S.C., Sections 952 and 960


Importation of a Controlled Substance

Mario Francisco ANDRADE-Zamorano, )  
Defendant, )

The undersigned complaint being duly sworn states:

On or about May 13, 2008, within the Southern District of California, Francisco RODRIGUEZ-Burrola did knowingly and intentionally import approximately 6.25 kilograms of Methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
\_\_\_\_\_  
SPECIAL AGENT  
U.S. IMMIGRATION AND CUSTOMS  
ENFORCEMENT

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 14<sup>th</sup> DAY OF May, 2008.

  
\_\_\_\_\_  
MAGISTRATE JUDGE

### PROBABLE CAUSE STATEMENT

On May 13, 2008 at approximately 1400 hours, Mario Francisco ANDRADE-Zamorano attempted to enter the United States from the Republic of Mexico through the San Ysidro, California, Port of Entry. Mario Francisco ANDRADE-Zamorano was the driver of a Red 1998 Isuzu Trooper bearing Baja California, Mexico (BA/MX) license plates BEE1514.

Customs and Border Protection Officers (CBPO) received two negative Customs Declarations from ANDRADE at the pre-primary roving operations. During the pre-primary encounter the CBP Officer's Narcotic and Human Detection Dog alerted to the door areas of the vehicle. CBP Officers also were able to visually identify that the door's of the vehicle had been tampered with. CBPO Officers briefly pulled back on the door panel and were able to see several packages wrapped in tape. ANDRADE was taken in to custody and the vehicle was referred to the secondary inspection area. Examination of the vehicle revealed five (5) packages totaling 6.25 kilograms of a crystallized clear substance. A random field test of one of the packages revealed a positive reaction for methamphetamine.

At approximately 1730 hours, Immigration and Customs Enforcement (ICE) Special Agent (S/A) Peter Kiesel and CBPO Robert Mendoza contacted ANDRADE and told him that he was under arrest for attempting to smuggle narcotics into the United States. After CBPO Mendoza read ANDRADE his constitutional rights, per Miranda, in the Spanish language, ANDRADE waived his rights and agreed to make a statement. ANDRADE stated that he had money troubles and a friend of his in Tijuana, BC, Mexico

told him that he knew people who could pay him good money quickly. ANDRADE told his friend to have these people contact him. ANDRADE was contacted on May 11, 2008 and told to drop his vehicle off with some individuals who would be waiting for him at a mall in Tijuana, BC, Mexico. ANDRADE dropped off the vehicle and was told he would receive it the next day. At approximately 1700 hours on May 12, a young male drove the vehicle to ANDRADE's house. ANDRADE told this individual that he was planning on crossing the border around noon the following day. ANDRADE was supposed to drive the truck to the Costco store in Chula Vista, CA. He was supposed to wait there for a while and would be contacted on what to do from there. ANDRADE stated he was to be paid \$800 for his involvement of the smuggling of the narcotics.

Mario Francisco ANDRADE-Zamorano was arrested and charged with violation of Title 21 USC 952, 960, Importation of a Controlled Substance, and was booked into the Metropolitan Correctional Center, San Diego, CA.